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NAME: Examiner Dao, Thuy Chan, Group Art Unit 2192
U.S. Patent and Trademark Office

FAX: 571-273-8570

FROM: Utpal Shah

DATE: July 10, 2008

RE: U.S. Patent Application No. 10/730,601
Applicant Initiated Interview Request Form (1 page)
Interview Request Attachment (14 pages)

REMARKS:

Total Number of Pages (Including This One):	16
OUR CLIENT/MATTER NO.:	4000-11100
YOUR REFERENCE NO.:	Patent Application No. 10/730,601

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Applicant Initiated Interview Request Form

Application No.: 10/730,601 ___   First Named Applicant: Merzad Hemmat
Examiner: Dao, Thuy Chan ___   Art Unit: 2192 ___   Status of Application: Non-Final OA ___

Tentative Participants:
(1) Dao, Thuy Chan ___   (2)_____

(3) Utpal Shah (# 60,047) ___   (4) Brian Genco (#58,096) ___

Proposed Date of Interview: July 17, 2008 ___   Proposed Time: 2:00 PM (AM/PM)

Type of Interview Requested:
(1) [✓] Telephonic   (2) [ ] Personal   (3) [ ] Video Conference

Exhibit To Be Shown or Demonstrated: [ ] YES   [✓] NO
If yes, provide brief description:_____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) 102 Rej.	1, 8, 16 and 20	Kaelicke	[ ]	[ ]	[ ]
(2)_____	_____	_____	[ ]	[ ]	[ ]
(3)_____	_____	_____	[ ]	[ ]	[ ]
(4)_____	_____	_____	[ ]	[ ]	[ ]

[ ] Continuation Sheet Attached

Brief Description of Arguments to be Presented:

See Attached.

_____

An interview was conducted on the above-identified application on _____.
NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).
This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature	Examiner/SPE Signature
Utpal Shah	
Typed/Printed Name of Applicant or Representative	
60,047	
Registration Number, if applicable	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Merzad Hemmat, et al.	§ §
		§ § Group Art Unit: 2192
Serial No.:	10/730,601	§ §
		§ § Examiner: Dao, Thuy Chan
Filed:	December 8, 2003	§ §
		§ § Confirmation No.: 8879
For:	INTEGRATED ADVANCE SCHEDULING AND RESOURCE RESERVATION OF INDETERMINATE PROJECTS IN AN INTEGRATED DEVELOPMENT PROCESS	§ § § § §

INTERVIEW REQUEST AND PROPOSED AMENDMENT – NOT FOR ENTRY

In response to the non-final Office Action dated April 29, 2008, Applicants respectfully request the following issues be considered for discussion in the telephone interview scheduled of July 17, 2008. Applicants respectfully submit that these issues are not to be entered as a response to the non-final Office Action dated April 29, 2008. Furthermore, Applicants respectfully submit that such issues are non-binding and do not create any estoppel until such time as agreement is reached with the Examiner regarding same and formal amendments and/or remarks are presented and entered.

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LISTING OF PROPOSED CLAIMS

1. (Currently Amended)   A computer implemented method for scheduling resources to be used in a software development project comprising:

a customer providing information regarding a software development project to be completed;

a planning department initially reviewing the provided information and providing initial feedback prior to completing a detailed requirements analysis, wherein the detailed requirements analysis includes a plurality of steps;

the planning department reserving resources for the project based on the information prior to completing the detailed requirements analysis;

the planning department confirming the reserved resources at each of the plurality of steps in the detailed requirements analysis;

offering the customer, through the planning department, a final contract upon completion of the plurality of steps of the detailed analysis, wherein the final contract describes the resources to be used for completion of the project; and

the planning department storing a list of the reserved resources on a computer readable medium; and

subsequent to reserving resources beginning developing the software development project.

2. (Previously Presented) The method of claim 1, further comprising after

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reserving resources:

    scheduling the reserved resources as agreed upon in the contract upon approval of the contract by the customer through the planning department.

    3. (Canceled)

    4. (Previously Presented) The method of claim 2, wherein one of the plurality of steps of the detailed requirements analysis comprises:

    a functional requirements modeling step.

    5. (Previously Presented) The method of claim 2, wherein one of the plurality of steps of the detailed requirements analysis comprises:

    a system requirements modeling step.

    6. (Previously Presented) The method of claim 2, wherein one of the plurality of steps of the detailed requirements analysis comprises:

    an application integration modeling step.

    7. (Previously Presented) The method of claim 2, wherein one of the plurality of steps of the detailed requirements analysis comprises:

    a contract development step.

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8. (Currently Amended)   A computer implemented method for scheduling resources needed for a project comprising:

a planning department managing a customer's expectations about the project based on preliminary information the customer provides to the planning department;

the customer approving the project for further analysis wherein the further analysis includes a plurality of steps, wherein the plurality of steps of the further analysis comprises a functional requirements modeling step, a system requirements modeling step, an application integration modeling step, and a contract development step;

the planning department reserving resources for the project based on the preliminary information and past experience;

the planning department confirming the reserved resources at the end of at least one of the plurality of steps in the further analysis;

upon completion of the plurality of steps in the further analysis, the planning department offering the customer a final contract describing resources to be used for completion of the project;

upon approval of the contract by the customer, the planning department scheduling the reserved resources as agreed upon in the final contract; and

the planning department storing a list of the reserved resources on a computer readable medium.

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9. (Original) The method of claim 8 wherein the managing of the customer's expectations comprises the planning department giving the customer an estimate of the likely duration of the project based on past experience and on the preliminary information provided by the customer.

10. (Original) The method of claim 9 wherein the customer's approval of the project for further analysis is based on the estimate of the likely duration of the project.

11. (Original) The method of claim 8 wherein the confirming of the reserved resources comprises determining whether the results of the further analysis indicate whether modifications are needed in the reserved resources.

12. - 13. (Canceled)

14. (Original) The method of claim 11 wherein, if it is determined that modifications are needed in the reserved resources, alerts are sent to projects dependent on a project for which modifications are needed in the reserved resources, the alerts informing the dependent projects that further analysis may be needed.

15. (Original) The method of claim 8 wherein the reserving of resources is aided by a tool that uses past experience and the preliminary information as input and

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produces an estimate of the resources required as output.

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16. (Currently Amended) A computer implemented method for scheduling resources to be used in a software development project comprising:

a customer submitting information about the software development project to an Information Technology department;

the Information Technology department analyzing the feasibility of the project and estimating its cost;

the customer deciding whether to proceed with the project based on the analysis of feasibility and estimate of cost;

upon deciding to proceed, the customer prioritizing and funding the project and the Information Technology department reserving resources for the project;

the Information Technology department modeling at least one requirement for the project after deciding to proceed;

upon completion of the at least one requirement modeling, the Information Technology department giving the customer a final contract with an estimate of resources needed for completion of the project; and

booking the reserved resources as agreed on in the final contract upon approval of the final contract with the estimate by the customer; and

the planning department storing a list of the reserved resources on a computer readable medium; and

subsequent to booking the reserved resources beginning developing the software development project.

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17. (Previously Presented) The method of claim 16 further comprising, during the requirement modeling, the Information Technology department determining whether the results of the modeling of a requirement indicate that modifications to the requirement are needed.

18. (Original) The method of claim 17 wherein, when modifications are needed, alerts are sent to projects dependent on a project for which modifications are needed in the reserved resources, the alerts informing the dependent projects that further analysis may be needed.

19. (Original) The process of claim 16 wherein the reserving of resources is aided by a tool that uses past experience and the information submitted by the customer as input and produces an estimate of the resources required as output.

20. (Currently Amended) A computer implemented method for scheduling software releases for a computer system comprising:

planning a series of releases for a given time period, each release having an initial allocation of capacity;

reviewing information regarding proposed software projects and providing initial estimates of cost and duration for such projects to customers for approval to move into a detailed analysis, wherein the detailed analysis comprises a functional requirements modeling step, a system requirements modeling step, an application integration modeling step, and a contract development step;

on receiving approval for the detailed analysis for each project, reviewing the planned series of releases and the initial estimate of cost and duration for the approved project and reserving capacity in a release having available capacity for the approved project;

adjusting the reserved capacity as the detailed ~~analyses~~ analysis and as customer feedback change the scope of the projects approved for ~~further~~ detailed analysis and, where available capacity is not present, moving the reserved capacity to a later release;

as the detailed ~~analyses~~ analysis of the approved projects are completed and the approved projects are finally approved for development through a contract, booking the reserved capacity in the releases; and

the planning department storing a list of the reserved resources on a computer

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readable medium.

21. (Original) The method of claim 20, wherein reviewing the planned series of releases and the initial estimate of cost and duration for the approved project further comprises:

reviewing the preliminary test approach as determined in the initial review, the type of lab required, and the available resources in the required lab.

22. (Original) The method of claim 20, wherein reviewing the planned series of releases and the initial estimate of cost and duration for the approved project further comprises:

reviewing dependencies with other projects.

23. (Original) The method of claim 20, wherein reviewing the planned series of releases and the initial estimate of cost and duration for the approved project further comprises:

reviewing the available workforce in the required areas.

24. (Original) The method of claim 20, further comprising prior to planning a series of releases for a given time period:

receiving from customers estimates of total time required for proposed projects in

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the given time period; and,

adding the received estimates to get a total amount of time for the given time period and dividing the time into releases throughout the time period.

25. (Original) The method of claim 24, wherein the number and capacity of the planned releases is determined by the total amount of time received.

26. (Previously Presented) The method of claim 24, wherein an extra percentage of time is added to the capacity allocated to each release.

Summary of Rejections

Claims 1-26 were rejected under 35 USC § 102(e).

Response to Rejections

Claims 1 and 16:

- Kaelicke is directed to development process representation and management. In particular, Kaelicke teaches that a contract is presented and executed by the customer at the end of the evaluation phase 105. (Kaelicke Paragraph [0225]-[0226]). Kaelicke also teaches that reserving of resources takes place during the maintenance phase 120 of the development process, which is after the evaluation phase of the development process. (Kaelicke Fig. 1A).

    - Kaelicke does not teach beginning the development of the software after the reserving of resources and approving of the final contract. Kaelicke teaches estimating and confirming availability of resources for a test strategy. (Kaelicke Paragraphs [0078] and [0096]). Similarly, paragraph 0166 discloses dispatching resources to maintain the development result. Also note paragraphs 0104, 0105, 0147, 0202, 0208, 0210, 0222, 0242, 0246, 0251, and 0269 of Kaelicke. Thus, Applicants submit that Kaelicke does not teach reserving resources prior to offering a contract to a customer and developing the software development project.

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Claims 8 and 20:

   o Kaelicke does not teach performing detailed analysis to confirm the resources reserved during the initial review of the software development project. Kaelicke teaches estimating and confirming availability of resources for a test strategy. (Kaelicke Paragraphs [0078] and [0096]). In the evaluation phase Kaelicke teaches a statement of work negotiation task directed to reaching an agreement with the customer. (Kaelicke Paragraph [0025]). However, Kaelicke does not teach that during the negotiation performing detailed analysis comprising a functional requirements modeling step, a system requirements modeling step, an application integration modeling step, and a contract development step.

  While some amendments have been presented for discussion in the interview, these amendments do not preclude the possibility of further amending the claims for further clarification. Applicants welcome any suggestions by the Examiner.

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Conclusion

If the Examiner has any questions or comments or otherwise feels it would be helpful in expediting the application, he is encouraged to telephone the undersigned at (972) 731-2286.

Respectfully submitted,

Date: July 10, 2008

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